



REVIEW COMMITTEE



PACIFIC GAS AND ELECTRIC COMPANY
LABOR RELATIONS DEPARTMENT
MAIL CODE N2Z
P.O. BOX 770000
SAN FRANCISCO, CA 94177
(415) 973-6725

INTERNATIONAL BROTHERHOOD OF
ELECTRICAL WORKERS, AFL-CIO
LOCAL UNION 1245, I.B.E.W.
P.O. BOX 2547
VACAVILLE, CALIFORNIA 94696
(707) 452-2700

JOHN MOFFAT, CHAIRMAN

- DECISION
- LETTER DECISION
- PRE-REVIEW REFERRAL

RECEIVED by LU 1245
February 19, 2010

**CASE CLOSED
FILED & LOGGED**

BOB CHOATE, SECRETARY

Pre-Review Committee No. 18669 Energy Delivery – Electric T&D – Bakersfield

Melanie Curry
Company Member
Local investigating Committee

Bob Dean
Union Member
Local Investigating Committee

Grievance Issue:

A DML was issued for causing damage to a third party and failing to notify supervision of the accident in a timely manner.

Facts of the Case:

The Grievant is a Lineman with 26 years of Company service with no active discipline. The Grievant drove a Trouble Truck through the drive through and struck the overhang. The accident resulted in a damage claim for \$10,725 from the third party. The Grievant was going to pay for the damage himself until he received the bill six months later. At the time he thought that it was only minor damage. Once he received the bill he notified his supervisor.

Discussion:

The facts in this case are not in dispute. The Grievant had a vehicle accident and did not report the accident to his supervisor. This resulted in a delayed investigation and made it more difficult to settle the claim.

The Union argued that the Grievant should have received two Written Reminders, one in Conduct for his failure to report the accident and one in Work Performance for the vehicle accident.

The Company argued that this case is different from the others where the Company has issued two Written Reminders. The accident alone would have warranted a Written Reminder. In this case based on the manner of how the Grievant handled the incident by not reporting the incident in an attempt to cover up the accident and waiting six months to say anything to his supervisor after the Grievant could not pay the bill for the damage, warrants a DML. The Grievant put the Company in a very difficult position to settle the claim in a fair and reasonable manner and minimized the ability to do a complete investigation of the accident.

Decision:

The Grievant's DML has since deactivated which makes the DML moot at this point. The parties maintain their respective positions.

This case is considered closed.



John A. Moffat, Chairman
Review Committee

2/11/2010

Date



Bob Choate, Secretary
Review Committee

2/11/2010

Date